

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

To:

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Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/US2006/006199

International filing date (day/month/year)  
23.02.2006

Priority date (day/month/year)  
01.03.2005

International Patent Classification (IPC) or both national classification and IPC  
INV. H04N7/16 H04N5/445

Applicant  
SCIENTIFIC-ATLANTA, INC.

#### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of  
this opinion

see form  
PCT/ISA/210

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in electronic form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	
	No: Claims	1-16
Inventive step (IS)	Yes: Claims	
	No: Claims	1-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re item V.**

1 Reference is made to the following documents:

- D1 : WO 02/097997 A (MYRIO CORPORATION; CEZEAUX, THOMAS, EDWARD;  
VOGEL, DEREK, K) 5 December 2002 (2002-12-05)  
D2 : EP 1 213 919 A (UNITED VIDEO PROPERTIES, INC) 12 June 2002 (2002-06-  
12)  
D3 : WO 2004/098190 A (SCIENTIFIC-ATLANTA, INC) 11 November 2004 (2004-  
11-11)  
D4 : US 2004/068739 A1 (RUSS SAMUEL H ET AL) 8 April 2004 (2004-04-08)

2 Document D1 discloses (*the references in parentheses applying to this document*): a method for utilizing a parental control (*system for monitoring and blocking content being viewed by another, abstract*) to monitor and filter / block the viewing of children (*"real time" monitoring and filtering, paragraph 27*).

2.1 INDEPENDENT CLAIM 1

As can be seen from the above and from the cited passages in the search report, document D1 discloses in combination all the features defined in independent claim 1. Hence the subject-matter of this claim is not new (Article 33(2) PCT).

3 Document D2 discloses (*the references in parentheses applying to this document*): a method for utilizing parental control (*monitor, paragraph 94*) to monitor the viewing of children (*poll the program guides at other locations within the household to determine whether anyone is currently viewing television and to which channel they are tuned, paragraph 94*) and control it (*the guide may allow a user to change the channel of a remote location, paragraph 95*)

3.1 INDEPENDENT CLAIM 1

As can be seen from the above, document D2 discloses in combination all the features defined in independent claim 1. Hence the subject-matter of this claim is not new (Article 33(2) PCT).

- 4 Document D3 and/or D4 from the same applicant disclose all technical aspects of the system used to execute the method as claimed in claim 1 : network guide that displays the past and present activity status of each of the receiving devices (*D3, abstract*), and child zapping monitoring (*D4, paragraph 47*).

#### 4.1 INDEPENDENT CLAIM 1

- 4.1.1 It is not clear to the examiner why the system already disclosed by the applicant in its prior applications D3 and D4 needs technical change to proceed the method as drafted in claim 1. Indeed, when the parent is willing to perform a "live block" instead of a "filtering in advance", he should be able to do so by pressing the block button for the program that is currently being played at the child's television, this program being displayed inside the existing network guide on the corresponding line of the network guide graphic interface. The examiner sees therefore no technical problem to be solved starting from the existing prior art.

- 4.1.2 The subject matter of claim therefore does not meet the requirements of the PCT in respect of novelty and inventive step (Article 33(2) and (3) PCT).

#### 5 DEPENDENT CLAIMS 2-16

- Dependent claims 2-16 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT) since they are all disclosed in the existing prior art :
- see e.g. D1, D3 or D4 for claim 5
  - the underlying aspects of updating the different EPGs is also mentioned in D1 (*update configuration information, paragraph 26*).

F.Bertrand